

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

MAR - 3 2008

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

U.S.A. vs. NOEL VEGA

Docket No. 99-00014-003 ERIE

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of NOEL VEGA, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 29th day of January 2001, who fixed the period of supervision at five years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm or destructive device.
- The defendant shall participate in a program of testing and treatment for substance abuse as directed by the Probation Office, until such time as the defendant is released from the program by the probation officer. Further, the defendant shall be required to contribute to the cost of services for any such treatment in an amount determined by the probation officer, not to exceed the actual costs. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.
- The defendant shall pay a special assessment of \$100.

01-29-01: Conspiracy to Distribute and Possess With Intent to Distribute in Excess of 500 Grams of Cocaine; 14 months' custody of the Bureau of Prisons, to be followed by 5 years' supervised release.
02-07-05: Released to supervision; Currently supervised by U. S. Probation Officer David J. Conde.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your Petitioner reports that the supervised releasee has violated the following conditions:

The defendant shall not commit another federal, state, or local crime.

The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.

The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.

The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

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In January 2007, the Probation Office was advised by the Pennsylvania State Police and the Pennsylvania Attorney General's Office that Mr. Vega had been apprehended in a reverse drug-buy operation on December 13, 2006, in Cranberry, Pennsylvania. Mr. Vega intended to purchase 2 kilograms of cocaine for approximately \$20,000. A series of telephone calls between Mr. Vega and a Confidential Informant (CI) took place prior to the buy. It should be noted that in one conversation, Mr. Vega told the CI that he only had \$17,247 and would forward the balance to him later. Following his apprehension, Mr. Vega failed to advise the Probation Office within 72 hours of being questioned by law enforcement. It should also be noted that Mr. Vega was accompanied to the buy site by an individual who is presently under the supervision of this office for a prior federal drug conviction.

PRAYING THAT THE COURT WILL ORDER that the supervised releasee appear in Federal Court, Courtroom C, U.S. Courthouse, Erie, Pennsylvania, with legal counsel on 3-13-08 at 10 am to show cause why supervision should not be revoked.

ORDER OF COURT

Considered and ordered this 3rd day of
March, 20 08 and ordered filed and made
a part of the records in the above case.

U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on February 29, 2008

David J. Conde /s/
David J. Conde
U.S. Probation Officer
Stephen A. Lowers
Stephen A. Lowers
Supervising U.S. Probation Officer

Place: Erie, PA